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Docket No.: HT3765USNA

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REMARKS

Reconsideration and allowance of subject claims 10-18 are respectfully requested.

Rejection Under 35 USC 103

Claims 10-18 are rejected under 35 USC 103(a) as unpatentable over US 4,120,914 to Behnke et al. (Behnke) in view of US 5,299,602 to Barbeau et al. (Barbeau) and further in view of US 6,349,531 to Kolmes et al (Kolmes).

The Examiner offers various teachings from Behnke and Barbeau in support of the obviousness rejection. However, the Examiner does note that relative to claim 10 (the independent claim from which claims 11 -18 depend), Behnke in view of Barbeau fails to teach that the yarn has a random entangled loop structure. The Examiner takes the position that it would have been obvious to one of ordinary skill in the art at the time the invention was made to create the yarn of Behnke in view of Barbeau with a random entangled loop structure as suggested by Kolmes.

Kolmes does not disclose or suggest a random entangled loop structure as recited in claim 10. The Examiner offers Kolmes as teaching that the air jet method is one well known texturing method, apparently inferring that such disclosure suggest the claimed random entangled loop structure. First, at column 4, lines 3 – 18, Kolmes specifically distinguishes subjecting the yarns to an air jet from air texturizing, which is used to form the random entangled loop structure in the subject invention. Further, Kolmes discloses at column 1, lines 55-60 that the loops are formed and then closed. This clearly teaches away from the claimed invention where the presence of loops is an element of the invention.

As such, there would be no motivation to combine Kolmes with Behnke and Barbeau to arrive at the subject invention and Applicant respectfully submits that the Examiner has failed to show a prima facie case of obviousness. Moreover, even if there were such motivation, the combination of the references would not disclose or suggest all of the elements of the claimed invention. Applicant respectfully requests that the rejection be withdrawn.

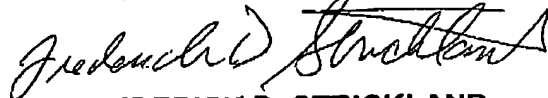
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CONCLUSION

It is believed that the foregoing is a complete response to the subject Office Action. Applicants believe that all rejections can be overcome and that the instant claims are now in condition for allowance. If any matters remain for resolution, please contact the undersigned.

Respectfully submitted,



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